

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE: Keith D. Tuk and

Ann M. Tuk

Debtor(s).

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X

Case No. 18-24338-JAD

Chapter 13

Doc. # 128

STIPULATED ORDER MODIFYING PLAN

WHEREAS, this matter is being presented to the Court regarding

[ONLY PROVISIONS CHECKED BELOW SHALL APPLY]:

- ☒ a motion to dismiss case or certificate of default requesting dismissal
- ☐ a plan modification sought by: _____
- ☐ a motion to lift stay
as to creditor _____
- ☐ Other: _____

WHEREAS, the parties having agreed to settle the matter above conditioned on the terms herein, based on the records of the Court, and the Court being otherwise sufficiently advised in the premises; and there being no adverse impact upon other parties by way of this action, thus no notice is required to be given; now therefore

IT IS HEREBY ORDERED that the

[ONLY PROVISIONS CHECKED BELOW SHALL APPLY]

- ☐ Chapter 13 Plan dated _____
- ☒ Amended Chapter 13 Plan dated ____1/20/21____

is modified as follows:

[ONLY PROVISIONS CHECKED BELOW SHALL APPLY]

- ☐ Debtor(s) Plan payments shall be changed from \$__ to \$__ per month, effective __; and/or the Plan term shall be changed from __ months to __ months.

- ☐ In the event that Debtor(s) fail(s) to make any future Chapter 13 Plan payments, the Trustee or a party in interest may file with the Court and serve upon Debtor(s) and Debtor(s)' Counsel a notice of default advising the Debtor(s) that they have 30 days from the service of the notice in which to cure any and all defaults in payments. If Debtor(s) fail(s) to cure the defaults in payments after having been provided notice under the provision of this Stipulated Order, then the Trustee or a party in interest may submit an Order of Dismissal to the Bankruptcy Court along with an affidavit attesting to a failure to make Plan payments, and the proceedings or case may thereafter be dismissed without prejudice and without further hearing or notice.
- ☐ Debtor(s) shall file and serve _____ on or before _____.
- ☐ If any of the foregoing is not completed by the date specified, the case may be dismissed without prejudice without further notice or hearing upon the filing by the Trustee of an Affidavit of Non-Compliance.
- ☐ If any of the foregoing is not completed by the date specified, the automatic stay as to the property described as _____ may be lifted without further notice or hearing upon the filing by the Creditor herein of an Affidavit of Non-Compliance.
- ☒ Other:
- Trustee's Certificate of Default (at Doc 124) is treated as resolved by this Order.
 - *Debtor(s) are to fund the plan by WA [notwithstanding anything to the contrary in the plan] which is to be implemented within 14 days of the date of this Order (if not previously implemented). Debtor(s) are responsible for ensuring that the full monthly plan payment is made each month regardless of the manner in which payments are intended to be made. Trustee reserves the right to reject money orders or cashier's checks, provided further that if she, in her discretion, presents such items for payments she may keep the funds on hold for more than 30 days before distributing on such types of payments. Debtors making payments by money order or cashier's check assume the risk that distributions under the plan will be delayed because of the failure to pay by one of the approved methods (wage attachment, TFS, or ACH).*
 - *To the extent the Plan is confirmed pre-bar date(s) or the completion of pending or contemplated litigation (including §506/522f action and objections to claims) or Loss Mitigation (LMP), or any other plan contingencies including sales, creditors will be paid per plan in the plan amount (or as superseded by this Confirmation Order or other Order(s) of Court) notwithstanding a claim in a greater amount or priority. Debtor shall review all proofs of claims as filed*

and to take such action(s), including modification of the Plan or this Confirmation Order, as is necessary to address claim discrepancies and to address other subsequent events that will affect the adequacy of plan funding (including the outcome of contemplated or pending litigation, LMP, sale process, etc.) The need to address plan funding deficiency includes increasing the plan payment as necessary to fund 100% of timely filed and allowed non-specially classified unsecured creditors in 100% plan cases.

IT IS FURTHER ORDERED that to the extent any creditor opposes the relief contained herein, such creditor must file an objection to the same within fourteen (14) days hereof. Should such an objection be timely filed, the Court shall conduct a de novo hearing regarding the appropriateness of this Stipulated Order. Should no objection be timely filed, this Stipulated Order shall be deemed final without further notice and/or opportunity for a hearing.

IT IS FURTHER ORDERED that in all other respects, the Plan and Order Confirming Plan shall remain in full force and effect. The filing party represents to the Court that all affected parties have been notified.

[Remainder of Page Intentionally Left Blank]

SO ORDERED, this 28th day of April, 2025


United States Bankruptcy Judge
Jeffery A. Deller

Stipulated by:

/s/ Corey J. Sacca
Counsel to Debtor

Stipulated by:

/s/ James Warmbrodt
Counsel to Chapter 13 Trustee

cc: All Parties in Interest to be served by Clerk

In re:
Keith D. Tuk
Ann M. Tuk
Debtors

Case No. 18-24338-JAD
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: auto

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Date Rcvd: Apr 28, 2025

Form ID: pdf900

Total Noticed: 23

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
^	Addresses marked '^' were sent via mandatory electronic bankruptcy noticing pursuant to Fed. R. Bank. P. 9036.
##	Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Apr 30, 2025:

Recip ID	Recipient Name and Address
db/jdb	+ Keith D. Tuk, Ann M. Tuk, 661 Ann Roberts Road, Ligonier, PA 15658-9236
14943814	+ Aaa Debt Rec, Pob 129, Monroeville, PA 15146-0129
14943816	CBCS, PO BOx 1280, Oaks, PA 19456-1280
14955411	+ First Commonwealth Bank, c/o AAS Debt Recovery Inc., 2526 Monroeville Blvd. Suite 205, Monroeville, PA 15146-2371
14943820	Laughlintown Garage, Inc., PO Box 41, Ligonier, PA 15658-0041
14943821	+ Nicole Tuk, 661 Ann Roberts Road, Ligonier, PA 15658-9236
15210720	+ U.S. Bank National Association etal c/o, Nationstar Mortgage LLC d/b/a Mr. Cooper, P.O. Box 619094, Dallas, TX 75261-9094

TOTAL: 7

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
cr	+ Email/PDF: acg.acg.ebn@aisinfo.com	Apr 29 2025 01:57:53	Exeter Finance LLC, c/o AIS Portfolio Services, LP, 4515 N Santa Fe Ave. Dept. APS, Oklahoma City, OK 73118-7901
cr	+ Email/Text: RASEBN@raslg.com	Apr 29 2025 01:40:00	MTGLQ INVESTORS, L.P., Robertson, Anschutz, Schneid, Crane & Pa, 10700 Abbotts Bridge Rd, Suite 170, Duluth, GA 30097-8461
14943815	+ Email/Text: ally@ebn.phinsolutions.com	Apr 29 2025 01:40:00	Ally Financial, Attn: Bankruptcy Dept, Po Box 380901, Bloomington, MN 55438-0901
14949512	Email/Text: ally@ebn.phinsolutions.com	Apr 29 2025 01:40:00	Ally Financial, PO Box 130424, Roseville MN 55113-0004
14943817	^ MEBN	Apr 29 2025 01:35:01	Collection Service Center, Inc., Attn: Bankruptcy, Po Box 560, New Kensington, PA 15068-0560
14943818	+ Email/Text: ebnnotifications@creditacceptance.com	Apr 29 2025 01:40:00	Credit Acceptance, 25505 West 12 Mile Rd, Suite 3000, Southfield, MI 48034-8331
14943819	+ Email/PDF: acg.exeter.ebn@aisinfo.com	Apr 29 2025 01:43:39	Exeter Finance Corp, Po Box 166008, Irving, TX 75016-6008
14972708	+ Email/PDF: acg.exeter.ebn@aisinfo.com	Apr 29 2025 01:56:30	Exeter Finance LLC, P.O. Box 167399, Irving, TX 75016-7399
15390350	+ Email/Text: mtgbk@shellpointmtg.com	Apr 29 2025 01:41:00	NewRez LLC d/b/a Shellpoint Mortgage Servicing, P.O. Box 10826, Greenville, SC 29603-0826
14959384	Email/PDF: cbp@omf.com	Apr 29 2025 01:55:14	ONEMAIN FINANCIAL SERVICES, INC., PO BOX 3251, EVANSVILLE, IN 47731-3251
14943822	+ Email/PDF: cbp@omf.com	Apr 29 2025 01:43:18	OneMain Financial, Attn: Bankruptcy, 601 Nw

District/off: 0315-2

User: auto

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Total Noticed: 23

14944131	+ Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Apr 29 2025 01:43:23	2nd Street, Evansville, IN 47708-1013 PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
14946087	Email/Text: RVSVCBICNOTICE1@state.pa.us Apr 29 2025 01:42:00	Pennsylvania Department of Revenue, Bankruptcy Division PO Box 280946, Harrisburg, PA 17128-0946
14943823	+ Email/Text: BKSPSElectronicCourtNotifications@spservicing.com Apr 29 2025 01:43:00	Select Portfolio Servicing, Inc, Attn: Bankruptcy, Po Box 65250, Salt Lake City, UT 84165-0250
15301578	^ MEBN Apr 29 2025 01:34:32	U.S. Bank Trust National Association, not in its I, Fay Servicing, LLC, PO Box 814609, Dallas, TX 75381-4609
14978546	Email/Text: BKSPSElectronicCourtNotifications@spservicing.com Apr 29 2025 01:43:00	Wells Fargo Bank National Association, et al, c/o Select Portfolio Servicing, Inc., P.O. Box 65250, Salt Lake City, UT 84165-0250

TOTAL: 16

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		Exeter Finance, LLC
cr		NEWREZ LLC D/B/A SHELLPOINT MORTGAGE SERVICING
cr		Select Portfolio Servicing as servicer for Wells F
cr		U.S. Bank National Association, not in its individ
cr		U.S. Bank Trust National Association, not in its i
cr		Wells Fargo Bank National Association, as Trustee
cr	*+	PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
14943824	##+	SRA Associates LLC, 401 Minnetonka Road, Hi Nella, NJ 08083-2914

TOTAL: 6 Undeliverable, 1 Duplicate, 1 Out of date forwarding address

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Apr 30, 2025

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on April 28, 2025 at the address(es) listed below:

Name	Email Address
Charles Griffin Wohlrab	on behalf of Creditor MTGLQ INVESTORS L.P. bkecf@friedmanvartolo.com, cwohlab@ecf.courtdrive.com
Corey J. Sacca	on behalf of Debtor Keith D. Tuk csacca@bononilaw.com coreysacca@gmail.com;bankruptcy@bononilaw.com;bononiecmail@gmail.com;r39887@notify.bestcase.com;3230706420@filings.docketbird.com
Corey J. Sacca	on behalf of Joint Debtor Ann M. Tuk csacca@bononilaw.com

District/off: 0315-2

User: auto

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Form ID: pdf900

Total Noticed: 23

coreysacca@gmail.com;bankruptcy@bononilaw.com;bononiecmail@gmail.com;r39887@notify.bestcase.com;3230706420@filings.docketbird.com

Denise Carlon

on behalf of Creditor Select Portfolio Servicing as servicer for Wells Fargo Bank National Association as Trustee for the Structured Asset Securities Corporation, First Franklin Mortgage Loan Trust, Mortgage Pass-Through dcarlon@kmlawgroup.com

Denise Carlon

on behalf of Creditor U.S. Bank National Association not in its individual capacity but solely as Trustee for the NRZ PASS-THROUGH TRUST IX dcarlon@kmlawgroup.com

Denise Carlon

on behalf of Creditor Wells Fargo Bank National Association as Trustee for the Structured Asset Securities Corporation, First Franklin Mortgage Loan Trust, Mortgage Pass-Through Certificates, Series 2002-FF3 dcarlon@kmlawgroup.com

Laurence A. Mester

on behalf of Creditor Exeter Finance LLC lmester@mesterschwartz.com, jschwartz@mesterschwartz.com

Office of the United States Trustee

ustpre03.pi.ecf@usdoj.gov

Ronda J. Winnecour

cmecf@chapter13trusteedpa.com

TOTAL: 9